

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
WACO DIVISION

OURA HEALTH OY,

Plaintiff,

v.

CIRCULAR SAS,

Defendant.

Case No. 6:22-cv-00478

JURY TRIAL DEMANDED

**DECLARATION OF JONATHAN PEARCE IN SUPPORT
OF DEFENDANT'S OPPOSITION TO MOTION FOR
DEFAULT JUDGMENT AND PERMANENT INJUNCTION**

I, Jonathan Pearce, being over 18 years of age and competent to make this declaration,
do hereby declare as follows:

1. Attached hereto as **Exhibit 1** is a true and correct copy of a printout of an article from the website Business Wire obtained from the URL: <https://www.business-wire.com/news/home/20220405006108/en/On-the-Heels-of-1-Million-Rings-Sold-Oura-Now-Valued-at-2.55-Billion>, accessed on September 14, 2022.

2. Attached hereto as **Exhibit 2** is a true and correct copy of a printout of an article from the website Forbes obtained from the URL: <https://www.forbes.com/sites/alexkonrad/2021/05/04/ouras-sleep-track...0-million-to-move-further-into-personalized-health/?sh=528cd2252be6>, accessed on September 14, 2022.

3. Attached hereto as **Exhibit 3** is a true and correct copy of a printout of an article from the website Kickstarter obtained from the URL: <https://www.kickstarter.com/projects/circular-ring/circular-smart-ring-sleep-energy-performance-evolved>, accessed on September 14, 2022.

4. Attached hereto as **Exhibit 4** is a true and correct copy of a printout of an article from the website Indiegogo obtained from the URL: <https://www.indiegogo.com/projects/circular-smart-ring-sleep-energy-performance#/updates/all>, accessed on September 14, 2022.

5. Attached hereto as **Exhibit 5** is a true and correct copy of a series of email correspondence between counsel for Circular SAS and counsel for Oura Health Oy beginning on May 12, 2022 with the final correspondence sent on May 18, 2022.

6. Attached hereto as **Exhibit 6** is a true and correct copy of a series of email correspondence between counsel for Circular SAS and counsel for Oura Health Oy beginning on June 27, 2022 with the final correspondence sent July 19, 2022.

7. Attached hereto as **Exhibit 7** is a true and correct copy of a printout of an article from the website DC Rainmaker obtained from the URL: <https://www.dcrainmaker.com/2022/04/oura-outlines-missing-v3-features-plan-and-its-not-good.html>, accessed on September 14, 2022.

8. Attached hereto as **Exhibit 8** is a true and correct copy of a printout of an article from the website Wired obtained from the URL: <https://www.wired.com/review/oura-ring-gen3/>, accessed on September 14, 2022.

9. Attached hereto as **Exhibit 9** is a true and correct copy of excerpts a user post from the website DC Rainmaker obtained from the URL: https://www.reddit.com/r/ouraring/comments/wks8hz/oura_ring_app_without_subscription_is/, accessed on September 15, 2022.

10. Attached hereto as **Exhibit 10** is a true and correct copy of a translation of the French Code of Civil Procedure.

11. Attached hereto as **Exhibit 11** is a true and correct copy of the Hague Service Convention in English.

I declare under penalty of perjury that the foregoing is true and correct.

September 23, 2022

/s/ Jonathan Pearce

Jonathan Pearce

September 23, 2022

Respectfully submitted,

/s/ Kevin E. Cadwell

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Attorneys for Defendant Circular SAS

CERTIFICATE OF SERVICE

On this 23rd day of September 2022, the undersigned hereby certifies that a true and correct copy of the foregoing has been served on all counsel of record who are deemed to have consented to electronic service via the Court's CM/ECF system per local Rule CV-5(B)(1).

/s/ Kevin E. Cadwell

Kevin E. Cadwell